

REMARKS

Upon entry of this amendment, claims 1-15 and 17-19 will remain pending. Claims 1 and 10 are independent. By this amendment, claims 16 and 20 have been cancelled without prejudice to or disclaimer of the subject matter contained therein. Hence, claims 1-15 and 17-19 are presented for further consideration on the merits.

A. Introduction

In the outstanding Office action, claims 1, 4-10, 15 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,058,076 to Jiang (“the Jiang reference”) in view of U.S. Patent Publication No. 2004/0032844 to Lewis et al. (“the Lewis et al. reference”); claims 2, 3 and 11-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jiang reference in view of the Lewis et al. reference and further in view of U.S. Patent No. 6,560,217 to Peirce et al. (“the Peirce et al. reference”); and claims 16-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jiang reference in view of the Lewis et al. reference and further in view of U.S. Patent No. 7,042,988 to Juitt et al. (“the Juitt et al. reference”).

B. Asserted Anticipation Rejection of Claims 1, 4-10, 15 and 19

Claims 1, 4-10, 15 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jiang reference in view of the Lewis et al. reference. This rejection is respectfully traversed for at least the reasons set forth below.

Independent claim 10 has been amended to include the subject matter of now-cancelled claim 16. In a separate rejection,¹ the outstanding Office action acknowledges² that claim 16 distinguishes over a combination of the Jiang reference in view of the Lewis et al. reference. Hence, amended claim 10 distinguishes over the combination. Claim 1 has been amended in a manner corresponding to the amendments to claim 10 and, thus, at least

¹ Namely, the rejection of claims 16-18 and 20, which is traversed below.

² See p. 15 of the outstanding Office action.

similarly distinguishes over the combination. Accordingly, Applicants respectfully request that the rejection of claims 1, 4-10, 15 and 19 over the combination be favorably reconsidered and withdrawn.

C. Asserted Obviousness Rejection of Claims 2, 3 and 11-14

Claims 2, 3 and 11-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jiang reference in view of the Lewis et al. reference and further in view of the Peirce et al. reference. This rejection is respectfully traversed for at least the reasons set forth below.

Claims 2, 3 and 11-14 depend from independent claims 1 and 10, respectively. The basis of how claims 1 and 10 distinguish over a base combination of the Jiang reference and the Lewis et al. reference has been discussed above.

The rejection also relies upon the Peirce et al. reference as a teaching to use virtual private network (VPN) tunnels with home agents. Assuming for the sake of discussion that this interpretation of the Peirce et al. reference is reasonable, the Peirce et al. reference does not make up for the deficiencies in the base combination noted above regarding independent claims 1 and 10, and thus regarding claims 2, 3 and 11-14 by dependency, respectively. Accordingly, Applicants respectfully request that the rejection of claims 2, 3 and 11-14 over the Jiang reference in view of the Lewis et al. reference and further in view of the Peirce et al. reference be favorably reconsidered and withdrawn.

D. Asserted Obviousness Rejection of Claims 16-18 and 20

Claims 16-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jiang reference in view of the Lewis et al. reference and further in view of the Juitt et al. reference. This rejection is respectfully traversed for at least the reasons set forth below.³

³ These comments are particularly directed at the characterization of the Juitt et al. reference, relied upon as supplying elements which the rejection acknowledges as lacking in the combination of the Jiang reference in view of the Lewis et al. reference.

Independent claim 10 has been amended to include the subject matter of now-cancelled claim 16.⁴ A feature that distinguishes amended claim 10 over the Juitt et al. reference is that the second communication manner is less secure than the first communication manner. The Juitt et al. reference teaches, for all communications, that VPNs can be used to overcome the flaws of the Wired Equivalent Privacy (WEP) protocol.⁵ That is, the Juitt et al. reference assumes a context in which there was only one communication manner, which was conducted according to the WEP protocol, and teaches adapting the sole communication manner to use VPNs instead of the WEP protocol for all communications. As such, the Juitt reference does not teach at least a second communication manner in addition to a first communication manner, where the second communication manner is less secure than the first communication manner. Hence, the second communication manner being less secure than the first communication manner is a feature that distinguishes claim 10 over the Juitt et al. reference.

Applicants respectfully submit that the combination of the Jiang reference in view of the Lewis et al. reference and further in view of the Juitt et al. reference does not teach or suggest each and every element of amended claim 10 and, thus, claims 17-18 by dependency. Therefore, claims 10 and 17-18 are allowable over the cited prior art.⁶ Accordingly, Applicant respectfully requests that the rejection of claims 10 and 17-18 be favorably reconsidered and withdrawn.

⁴ The rejection of claims 16 and 20 is traversed on the basis that these claims have been cancelled.

⁵ See col. 2, lines 21-23, of the Juitt et al. reference.

⁶ Again, claim 1 has been amended in a manner corresponding to the amendments to claim 10. To the extent that the rejection based upon the combination of the Jiang reference in view of the Lewis et al. reference and further in view of the Juitt et al. reference might be viewed as somehow appropriate to amended claim 1, Applicants would disagree. It is submitted that amended claim 1 distinguishes over this combination at least for reasons similar to why amended claim 10 distinguishes over this combination. Further, claims 2-9, 11-15 and 19 depend from amended claims 1 and 10, respectively, and thus at least similarly distinguish by dependency over this combination.

E. Conclusion

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

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